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Promotion and protection of the rights of children

Sale of children, child prostitution and child pornography

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the report of the Special Rapporteur on the sale of children, child prostitution and child pornography, Maud de Boer-Buquicchio, in accordance with Assembly resolution 69/157.

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Report of the Special Rapporteur on the sale of children, child prostitution and child pornography

Summary

The present report is submitted pursuant to General Assembly resolution 69/157. The Special Rapporteur, Maud de Boer-Buquicchio, describes the activities undertaken in relation to the discharge of her mandate since her previous report to the Assembly (A/69/262).

She also provides a study containing an analysis of the effects of the sale and sexual exploitation of children on child victims and advocates for the establishment of comprehensive, rights-based and child-centred care, recovery and reintegration programmes as part of effective national child protection systems.

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I. Introduction

1. In its resolution 69/157, the General Assembly requested the Special Rapporteur of the Human Rights Council on the sale of children, child prostitution and child pornography to continue to submit reports to the Assembly on the activities undertaken in the fulfilment of her mandate.

2. In the present report, the Special Rapporteur provides information on her activities undertaken from August 2014 to August 2015. The report also contains a study on the effects of sexual exploitation on child victims; measures of implementation of the right to care, recovery and reintegration of child victims; and recommendations for the establishment of comprehensive, rights-based and child-centred care, recovery and reintegration programmes.

II. Activities of the Special Rapporteur

A. Country visits

3. The Special Rapporteur undertook an official visit to Armenia from 12 to 18 May 2015. The Government of Japan has accepted her request to conduct an official visit from 2 to 8 September 2015. The Governments of Georgia and Bulgaria responded positively to the invitation requests sent by the Special Rapporteur to undertake an official visit to their countries. The Special Rapporteur has yet to receive replies to her requests for an invitation from the Dominican Republic, the Gambia, India and Viet Nam.

B. Communications and press releases

4. The Special Rapporteur sent communications in the form of allegations and urgent action letters on violations of children's rights falling under the scope of her mandate to concerned Member States. These communications and the responses from the Governments concerned are publicly available in the joint communications reports of the special procedures submitted to the Human Rights Council.[1]

5. During the reporting period, the Special Rapporteur issued press releases, both alone and jointly, to raise concern and call for action on specific thematic issues related to her mandate, including child empowerment, modern-day slavery, racial discrimination against persons of African descent, a safer Internet, street children and trafficking. She also joined other human rights experts in issuing, on 13 April 2015, a joint press release on the first anniversary of the abduction of schoolgirls from Chibok, Borno State, Nigeria, on the sale and sexual exploitation of children by Boko Haram.

6. On the occasion of the fifteenth anniversary of the adoption of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography, the Special Rapporteur participated in a joint statement calling for their universal ratification and implementation. She also sent letters

[1] See www.ohchr.org/EN/HRBodies/SP/Pages/CommunicationsreportsSP.aspx.

calling for the ratification of the Optional Protocol on the sale of children, child prostitution and child pornography to Member States that had not yet ratified it.

C. Other activities

1. Follow-up to thematic report

7. In her annual report to the Human Rights Council, submitted at its twenty-eighth session (A/HRC/28/56 and Add.1), the Special Rapporteur focused her research on the issue of information and communication technologies and the sale and sexual exploitation of children. The addendum to her report dealt with the follow-up visit to Honduras undertaken by her predecessor, Najat Maalla M'jid, in April 2014.

8. The Special Rapporteur participated in a number of events and meetings in preparation of and as a follow-up to her report on information and communication technologies. On 12 September 2014, she was a panellist at the day of general discussion on digital media and children's rights organized in Geneva by the Committee on the Rights of the Child. On 16 October, in the context of the presentation of her annual report (A/69/262) to the General Assembly, the Special Rapporteur participated in a high-level panel on information and communication technologies, the Internet and violence against children organized by the Special Representative of the Secretary-General on Violence against Children. On 21 October, the Special Rapporteur participated in a meeting on cybercrime and children during the Law, Justice and Development Week of the World Bank, held in Washington, D.C. On 24 November, she participated in the event on children on the move and information and communication technologies organized by Save the Children in Stockholm.

9. On 10 December, she participated in the opening of the Children Online Global Summit to tackle online child sexual exploitation organized in London by the Home Office of the United Kingdom of Great Britain and Northern Ireland. Since then, she has been named as an active observer to the #WePROTECT International Advisory Board.

10. On 9 March 2015, during the twenty-eighth session of the Human Rights Council, she organized a side event with the Special Representative of the Secretary-General on Violence against Children on information and communication technologies and the sale and sexual exploitation of children.

11. On 9 July, she participated in the second meeting of the International Advisory Board of the #WePROTECT initiative in preparation for the follow-up summit to be held in the United Arab Emirates in November 2015.

2. Conferences, seminars and engagement with civil society

12. The Special Rapporteur participated in numerous conferences and expert meetings during the period under review. On 9 and 10 September 2014, she participated in the Third Expert Meeting on Returns and Transfers in Practice: case examples of children exposed to exploitation, trafficking and children at risk, organized in Vilnius by the Council of the Baltic Sea States. On 10 October, she participated in the annual conference on the rights of the girl child on the subject "A world without child marriage: how do we get there?", organized in Oslo by Plan

Norway. On 30 October, she gave a keynote speech at the Seventh International Consultation of Child Helplines, held in in London.

13. On 4 November, she attended the event commemorating the thirtieth anniversary of the adoption of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, organized in Geneva by the Committee against Torture. On 20 November, the Special Rapporteur addressed the high-level meeting of the General Assembly on the twenty-fifth anniversary of the adoption of the Convention on the Rights of the Child and participated in a high-level panel discussion on the Convention organized by the Special Representative of the Secretary-General on Violence against Children. On 2 December, she participated in the International Assembly of End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT International), held in Paris.

14. On 15 January 2015, the Special Rapporteur was a speaker at the conference "Working together against child trafficking", organized by the Nidos Foundation and the European Network of Guardianship Organizations in The Hague. On 27 April, she attended a seminar on trafficking, with a special focus on children, organized by the Vatican and the Government of Sweden, held in Vatican City.

15. The Special Rapporteur gave a presentation on 16 June at the International Summit on the Legal Needs of Street Youth, organized by the American Bar Association in London. On 18 and 19 June, she participated in a cross-regional meeting on protection of children from sexual violence organized in Strasbourg, France, by the Special Representative of the Secretary General on Violence against Children and the Council of Europe. The Special Rapporteur also spoke on 6 July at the opening of the forty-sixth annual study session of the International Institute of Human Rights, on children and international human rights law, held in Strasbourg.

III. Study on the care, recovery and reintegration of child victims of sale and sexual exploitation

A. Introduction

16. The present study analyses the impact of sale and sexual exploitation on children who experience these abhorrent crimes. It further provides details of examples of care, recovery and reintegration services, policies and programmes available at the local and national levels for child victims. Building on the work of previous mandate holders (see A/HRC/7/8 and A/66/228), the aim of the study is to provide clarity on the right to care, recovery and reintegration of child victims; address their specific needs and wishes; and propose comprehensive, rights-based and child-centred care, recovery and reintegration programmes as part of effective national child protection systems.

17. This study is based on a review of the literature on the topic,[2] the analysis of responses to the questionnaire sent by the Special Rapporteur to relevant stakeholders[3]

[2] The Special Rapporteur would like to thank students of the T. H. Chan School of Public Health and the John F. Kennedy School of Government at Harvard University and the Fletcher School of Law and Diplomacy at Tufts University, who assisted in the research for the present study under the coordination of Professor Jaqueline Bhabha of the T. H. Chan School of Public Health.

[3] See www.ohchr.org/EN/Issues/Children/Pages/CareAndRecovery.aspx.

and feedback from experts and practitioners. She would like to thank the 45 States,[4] 11 non-governmental organizations,[5] 2 international/regional organizations[6] and 1 expert body[7] for their contributions.

18. For the purpose of the present study, "care, recovery and reintegration programmes" refer to the full range of policies and services that are necessary to ensure the physical, cognitive, psychological, psychosocial and spiritual recovery, and the full social reintegration, of child victims. Care and recovery include: (a) immediate and crisis needs (e.g. immediate safety, emergency shelter, basic necessities, language interpretation, emergency medical and psychological care and legal aid); (b) ongoing needs (e.g. physical and mental health, substance abuse problems, safety, transitional housing, legal and immigration issues, language needs); and (c) long-term needs (e.g. education, vocational training and life skills, permanent housing, family reunification or alternative care arrangements).[8] Care and recovery should be envisaged simultaneously as they are constituents of immediate relief for child victims. The notion of social reintegration refers to medium- to long-term care. It emphasizes the need for child victims to be able to return to the social fabric (e.g. home or biological family, or a new community) and to be protected from discrimination because of their experiences during exploitation.[9] For the purpose of the present study, a child means every human being below the age of 18 years, as stipulated in article 1 of the Convention on the Rights of the Child.

19. The present study aims to address the care, recovery and reintegration needs of child victims affected by sexual exploitation, including prostitution and pornography, as defined in articles 2 and 3 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and related trafficking. Other forms of exploitation covered by the mandate are not the focus of the present report (e.g. sale for the purpose of transfer of organs, forced labour and illegal adoptions).

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[4] Albania, Australia, Bahrain, Belarus, Canada, Colombia, Cuba, Czech Republic, El Salvador, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lithuania, Mauritania, Mauritius, Mexico, Morocco, Myanmar, Nepal, Pakistan, Qatar, Republic of Korea, Romania, San Marino, Serbia, Slovakia, Slovenia, Switzerland, Togo, Turkey, United Kingdom of Great Britain and Northern Ireland and United States of America.

[5] Casa Alianza Honduras, Children's Rights in Goa, Dar Al Amal, Defence for Children-ECPAT Netherlands and United Nations Children's Fund (UNICEF) Netherlands, ECPAT International, ECPAT Germany, ECPAT Samoa, ECPAT United Kingdom, Home: The Child Recovery and Reintegration Network, ONG Raíces-Chile and Terre des Hommes Netherlands.

[6] Council of Europe and Office of the United Nations High Commissioner for Refugees (UNHCR).

[7] International Centre: Researching Child Sexual Exploitation, Violence and Trafficking of the University of Bedfordshire, United Kingdom.

[8] R. J. Macy and L. M. Graham, "Identifying domestic and international sex-trafficking victims during human service provision", *Trauma, Violence, and Abuse*, vol. 13, No. 2 (April 2012), pp. 59-76; Y. Rafferty, "Promising components of aftercare shelter programs for children who have been identified as victims of human trafficking" (forthcoming).

[9] Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, arts. 9.3 and 4; Committee on the Rights of the Child, general comment No. 13 (2011), para. 52.

B. International legal framework

20. Every child has a right under international law to receive care, recovery and reintegration services for the harm suffered as a victim of sexual exploitation. Major international human rights instruments confer this obligation on States as primary duty bearers. Article 39 of the Convention on the Rights of the Child obliges States to take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of exploitation, abuse or neglect, among other violations, in an environment which fosters the health, self-respect and dignity of the child. Article 9.3 of the Optional Protocol on the sale of children, child prostitution and child pornography adds that States parties shall take all feasible measures with the aim of ensuring all appropriate assistance to victims of sale and sexual exploitation, including their full social reintegration and their full physical and psychological recovery.

21. The Optional Protocol also outlines the obligation of States parties to provide support services to child victims throughout the legal process (art. 8.1 (d)); to ensure appropriate training for the persons who work with child victims of sexual exploitation (art. 8.4); and to ensure that child victims have access to adequate procedures to seek compensation (art. 9.4). The Optional Protocol further imposes an obligation on States parties to adopt measures to prevent the sale and sexual exploitation of children, giving particular attention to vulnerable children (art. 9.1), and to encourage the participation of children in information and education programmes about the measures to prevent and the harmful effects of the offences of sale and sexual exploitation (art. 9.2).

22. States have a duty to provide for care, recovery and reintegration of child victims. The Committee on the Rights of the Child, in its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, infers the responsibility of the State to "ensure the protection of child victims and witnesses and effective access to redress and reparation" (para. 41 (f)). Moreover, in its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee noted that for rights to have meaning there must be effective remedies that redress violations (para. 23).

23. Care, recovery and reintegration are also included in other major international legal instruments such as the Convention on the Rights of Persons with Disabilities (art. 16.4); the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (art. 6), the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (ILO) (art. 7) and the ILO Protocol of 2014 to the Forced Labour Convention, 1930 (No. 29) (art. 3).

24. Regional instruments also refer to the right to care, recovery and reintegration, notably the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Convention) (arts. 11 and 14), the Council of Europe Convention on Action against Trafficking in Human Beings (arts. 12-14), the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (arts. 20-26), the South Asian Association for Regional Cooperation Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (art. IX) and the African Charter on the Rights and Welfare of the Child (art. 16).

25. Standard-setting instruments such as the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime of 2005[10] and the Guidelines for the Alternative Care of Children of 2009[11] also stipulate that recovery and reintegration are essential forms of assistance to be provided to child victims. The Secretary-General's Study on Violence against Children (2006) also recommended providing recovery and social reintegration services. The Special Rapporteur on trafficking in persons, especially women and children, in the draft basic principles on the right to an effective remedy for victims of trafficking in persons (A/HRC/26/18, annex) and in her recommendations has underlined the obligation of States to provide rehabilitation and recovery, with special consideration being given to child victims of trafficking.[12]

26. A series of international commitments and policy initiatives has emphasized the need to provide recovery and reintegration to child victims. These include the Stockholm Declaration and Agenda for Action against Commercial Sexual Exploitation of Children, adopted at the World Congress against Commercial Sexual Exploitation of Children, held in 1996; the Yokohama Global Commitment adopted at the Second World Congress, held in 2001; and the Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents, adopted at the Third World Congress against Sexual Exploitation of Children and Adolescents, held in 2008. In 2008 it was already noted that many States had not taken all feasible measures to effectively ensure the provision of appropriate assistance to child victims of sexual exploitation. Almost 20 years after the first World Congress, many of the challenges remain.

C. Effects of sexual exploitation on child victims

27. The scourge of sexual exploitation of children prevails in all regions of the world. Children worldwide are sold and/or trafficked, within countries and across borders for the purpose of sexual exploitation, including prostitution and pornography. Most children are not identified as victims owing to a variety of barriers (e.g. lack of specific legislation, fear of stigma and reprisals), leaving the crimes against them ignored or unreported and the victims without the support and protection services they need.[13] The paucity of empirical evidence hampers the capacity to effectively address the phenomenon, as do the limited resources allocated for eradicating it.

28. Research shows that girls account for the majority of documented victims of sexual exploitation. However, the fact that boys are also victims cannot be disregarded.[14] Similarly, children who identify as transgender are extremely vulnerable to sexual exploitation.[15] In the United States of America, lesbian, gay, bisexual,

[10] Economic and Social Council resolution 2005/20, annex.

[11] General Assembly resolution 64/142, annex.

[12] See Human Rights Council resolution 20/1.

[13] Y. Rafferty, "Challenges to the rapid identification of children who have been trafficked for commercial sexual exploitation" (forthcoming).

[14] R. Lillywhite and P. Skidmore,"Boys are not sexually exploited? A challenge to practitioners", *Child Abuse Review*, vol. 15, No. 5 (September/October 2006), pp. 351-361; H. Blanch and G. Miles, "An initial exploration of young males in the male-to-male massage industry in Phnom Penh, Cambodia", *Social Work and Christianity*, vol. 39, No. 4 (Winter 2012), pp. 407-434.

[15] O. Martinez and G. Kelle, "Sex trafficking of LGBT individuals: a call for service provision, research, and action", *International Law News*, vol. 42, No. 4 (Fall 2013).

transgender and intersex youth are disproportionately represented in runaway and homeless youth programmes and child welfare systems and 42 per cent of them have been sexually exploited.[16] A 2006 study in Cambodia found that 80 per cent of interviewed victims of street-based sexual exploitation were male.[17] In Taiwan Province of China, the number of boys being prostituted discovered through social networking sites peaked in 2008.[18] In Ethiopia, a study revealed that male children are specifically targeted for prostitution on the basis of the belief that anal intercourse is less likely to transmit HIV/AIDS.[19] A recent study in the United Kingdom found that one third of children accessing specialist sexual exploitation services were male.[20]

29. A number of risk factors increase children's vulnerability and place them at higher risk of being sold and trafficked to meet the demand for sex with children. They include being female, aged between 12 and 18, belonging to an ethnic minority, living in a rural area, lacking education, having a disability, inadequate family protection, living in extreme poverty and having migrated.[21] The general trends and patterns of sale, trafficking and sexual exploitation of children include increased control of trafficking routes and destinations by criminal organizations, which benefit from increased migration movements; the enhanced role of new technologies in marketing children for sexual exploitation, including through new forms of exploitation such as the online streaming of sexual exploitation (A/HRC/28/56, paras. 42-43);[22] the normalization of prostitution as a legitimate business in tourism and entertainment; and the wide-scale migration of women and girls for domestic and entertainment work.[23]

30. Gender-based discrimination and inequalities also play a large role in the propagation of sexual exploitation of children, in particular girls and children who identify as transgender.[24] Sexual exploitation of girls is often rooted in patriarchal structures that promote male sexual domination and do not condemn the

[16] Contribution from the United States of America.

[17] J. Davis, G. Miles and M'lop Tapang, "'I want to be brave': a baseline study on the vulnerabilities of street-working boys in Sihanoukville, Cambodia", paper presented at the Sixth Annual Interdisciplinary Conference on Human Trafficking 2014, University of Nebraska-Lincoln, p. 12.

[18] ECPAT International, *Global Monitoring: Report on the Status of Action against Commercial Sexual Exploitation of Children — Taiwan*, 2nd ed. (Bangkok, 2011).

[19] ECPAT International, *The Commercial Exploitation of Children in Africa: Developments, Progress, Challenges and Recommendation Strategies* (Bangkok, 2014).

[20] www.natcen.ac.uk/media/530797/hidden-in-plain-sight-final-22082014-under-strict-embargo-until-0001-27-08-2014.pdf.

[21] Ruth Rosenberg, *Promising Approaches — Addressing Child trafficking in Europe and Eurasia* (United States Agency for International Development (USAID), 2013); Anti-Slavery International, *Trafficking for Forced Criminal Activity and Begging in Europe: Exploratory Study and Good Practice Examples* (London, 2014), p. 21.

[22] Terre des Hommes Netherlands, *Becoming Sweetie: A Novel Approach to Stopping the Global Rise of Webcam Child Sex Tourism* (The Hague, 2013).

[23] K. M. Perry and L. McEwing, "How do social determinants affect human trafficking in Southeast Asia, and what can we do about it? A systematic review", *Health and Human Rights*, vol. 15, No. 2 (December 2013); "Push and pull factors in trafficking", Vanguard University (California, United States of America), podcast, 5 July 2012. Available from www.vanguard.edu/gcwj/eht32/.

[24] Y. Rafferty, "International dimensions of discrimination and violence against girls: a human rights perspective", *Journal of International Women's Studies*, vol. 14, No. 1 (January 2013), pp. 1-23; Y. Rafferty, "Gender as an obstacle to good health: health related human rights violations and the girl child", *International Psychology Bulletin*, vol. 17, No. 1 (Winter 2013), pp. 15-24; ILO, International Programme on the Elimination of Child Labour (IPEC), Baseline data on commercial sexual exploitation of children in the Municipality of San Salvador, 2006.

commercialization of girls and women. Culturally imposed feminine gender stereotypes also contribute to sexual exploitation of women and girls by placing them in the role of serving males, negating their ability to make decisions regarding their own sexual and reproductive life[25] and making them prime targets for sexual violence.[26]

31. Most important, however, is the demand for sex with children. Those who support the exploitation of children include men from industrialized and developing countries who keep traffickers and exploiters in business through their demand for and purchase and exploitation of children.[27] This topic will be the specific focus of the next thematic report of the Special Rapporteur.

32. Sale and sexual exploitation cause considerable physical, sexual, cognitive, psychological and social harm to child victims. The short-, medium- and long-term impacts on their health, education, development and well-being are significant and must be addressed when planning care, recovery and reintegration programmes.

33. The harsh conditions, persistent and extreme abuse and trauma associated with sexual exploitation have been linked to a range of health-related problems. Physical abuse and deprivation, for example, can result in direct physical injury (e.g. bruises, contusions, cuts, burns), indirect physical injury (e.g. chronic headaches, dizziness), insomnia and disrupted sleep patterns and, in extreme cases, homicide or suicide. Other frequently noted health issues include weight loss and eating disorders. Drug and alcohol abuse are also serious problems. Higher rates of sexually transmitted infections, HIV, tuberculosis, pelvic inflammatory disease, infertility, vaginal fistula, unwanted pregnancy, unsafe abortions, complications from unwanted pregnancies and poor reproductive health have also been identified among child victims of sexual exploitation.[28]

34. In addition, victims may develop a wide range of psychological and interpersonal problems, including depression, feelings of hopelessness, anxiety, post-traumatic stress disorder, hostility and irritability.[29] Psychosocial impacts of sexual exploitation on children also include feelings of shame and self-blame, low self-esteem, stigma and difficulties in reintegrating in society.[30] In extreme cases, the complex set of psychological and physiological symptoms manifested by children who have experienced trafficking-related abuses have been compared to those identified in torture victims and children in armed conflict.[31]

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[25] ILO-IPEC, ibid.

[26] Rafferty, "International dimensions of discrimination".

[27] Y. Rafferty, "Child trafficking and commercial sexual exploitation: a review of promising prevention policies and programs", *American Journal of Orthopsychiatry*, vol. 84, No. 4 (October 2013), pp. 559-575.

[28] J. G. Silverman and others, "HIV prevalence and predictors of infection in sex-trafficked Nepalese girls and women", *Journal of the American Medical Association*, vol. 298, No. 5 (1 August 2007), pp. 536-542.

[29] Y. Rafferty, "Mental health services as a vital component of psychosocial recovery for children who have been trafficked for commercial sexual exploitation" (forthcoming).

[30] Davis, "'I want to be brave'", p. 12; ECPAT International, *The Commercial Exploitation of Children in Africa*. See also www.childrecovery.info/fileadmin/pdf/CEPAT_Pilot__Validation_Study_Cambodia_2010.pdf.

[31] M. Hossain and others, "The relationship of trauma to mental disorder among trafficked and sexually exploited girls and women", *American Journal of Public Health*, vol. 100, No. 12 (December 2010), pp. 2442-2449.

35. Girls who are sexually exploited may also give birth to children whom they are either forced to abandon or give up for adoption, or the children may be used as leverage by their pimps or traffickers. Many keep their children and attempt to raise them on their own. A few organizations serving child victims of sexual exploitation provide childcare services.[32]

36. It is a widely held belief, reinforced by the fact that it is the victims who are often arrested and put in jail while the exploiters remain free, that the victim is to blame for his/her predicament. A study of tolerance of sexual exploitation of children in selected countries of Latin America was carried out by IPEC. The results, published in 2009, showed that one in four respondents believed that the child victims were themselves responsible for their situation. Families often consider child victims of trafficking to be "tainted" or "unworthy", leading to abandonment and social isolation of the children and exacerbating the loss of a sense of self.[33]

37. The impact on children of exploitation facilitated by new technologies is comparable to the effects of other types of sexual exploitation since the dynamics that cause the trauma are similar. A significant difference is the revictimization of children each time the episode of abuse is viewed by others, the feelings of shame, humiliation and powerlessness are repeated. In the specific case of webcam child sex tourism, which is often conducted by a person known to and trusted by the child, including a parent, there is an added feeling of betrayal and the development of a distorted view of sexuality.[34] The effect of online sexual exploitation on child victims is an area that requires further research.

D. Measures of implementation of the right to care, recovery and reintegration for child victims of sexual exploitation

38. The right to care, recovery and reintegration is implemented through the adoption and implementation of legislation, policies and plans of action; the establishment of institutional frameworks and mechanisms for the delivery of services; the effective allocation of necessary human and technical resources; coordination, monitoring and assessment mechanisms; and prevention, education and awareness-raising campaigns, with the participation of the children, the involvement of civil society, the business sector, academic institutions and the media and the support of international cooperation.

39. States bear the primary responsibility in the design and implementation of programmes, policies and services to ensure the right to care, recovery and reintegration of children, including their timely identification as victims. However, in many settings, non-governmental organizations provide these services, often with

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[32] R. W. Deisher and others, "The pregnant adolescent prostitute", *American Journal of Diseases of Children*, vol. 143, No. 10 (October 1989), pp. 1162-1165; See also www.mensenhandelweb.nl/system/files/documents/17%20dec%202014/2543.pdf.

[33] J. A. Chu and others, "Dissociative symptoms in relation to childhood physical and sexual abuse", *American Journal of Psychiatry*, vol. 147, No. 7 (July 1990), pp. 887-892.

[34] Terre des Hommes Netherlands, "Fullscreen on view: an exploratory study on the background and psychosocial consequences of webcam child sex tourism in the Philippines", 2013, pp. 12-13; H. C. Whittle, C. Hamilton-Giachritsis and A.R. Beech, "Victims' voices: the impact of online grooming and sexual abuse", *Universal Journal of Psychology*, vol. 1, No. 2 (2013), pp. 59-71.

the support of United Nations actors and other development partners, complementing government service provision or, where these do not exist, filling the vacuum.

40. The most common care and recovery services provided by Governments and non-governmental organizations are immediate, urgent or short-term support services. They include medical and psychological care, emergency shelter and legal assistance. Medium- and long-term support services are specialized interventions that include assessing the home environment of the child and working with his or her family throughout the care, recovery and reintegration process; returning the child to his or her family or community or, in their absence, providing alternative care arrangements; reconnecting the child with education systems; and providing social and economic support.[35]

41. Submissions received from various stakeholders include numerous examples of measures of implementation of the right to care, recovery and reintegration of child victims, some of which are described under the following sections on identification and referral, immediate support services and medium- and long-term support. Stakeholders have acknowledged the multiples challenges confronting them in the provision of care, recovery and reintegration services.

1. Identification and referral

42. Some countries have established centralized databases for case management to ensure that child victims are identified, linked to services and followed up on a long-term basis. Such central reporting systems aim to reduce confusion by replacing the wide variety of case reporting forms used by police, medical practitioners and social workers with one centralized system.[36] These systems are particularly important when children are moved from different countries, as the paperwork is often lost.

43. Immediate support services often start with the removal of the child from the exploitative situation. In many countries, identification is carried out primarily by the police or immigration personnel and by non-governmental organizations.[37] Another way of detecting victims of trafficking and exploitation is through contact of the child victim with the health care system. In Morocco, for example, hospitals have established integrated care units that take charge of child victims of violence.[38] In Israel, the Ministry of Social Affairs and Social Services employs youth legal social workers who are trained to identify cases of sexual abuse and exploitation of minors, including cases of prostitution. The Ministry operates street searches conducted by professionals and volunteers to identify minors involved in prostitution. Once contact has been established, the professionals aim to gain the minor's trust to facilitate his or her removal from the exploitative environment.[39]

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[35] ECPAT International, *The Commercial Exploitation of Children in Africa*.

[36] Ibid.

[37] Rebecca Surtees, *Second Annual Report on Victims of Trafficking in South-Eastern Europe, 2005* (Geneva, International Organization for Migration (IOM), 2005); Center for the Study of Democracy, *Assisting and Reintegrating Child Victims of Trafficking: Improving Policy and Practice in the EU Member States* (Sofia, 2013).

[38] Contribution from Morocco.

[39] Contribution from Israel.

44. However, most victims of sexual exploitation are not formally identified through official channels owing to failures to characterize them as victims of sexual exploitation. Child victims of trafficking and exploitation are still treated as criminals in many justice systems.[40] For instance, child protection authorities have the tendency to engage in victim-blaming, not believing victims or questioning their credibility when handling cases involving adolescents.[41] Child victims of sexual exploitation are often arrested for crimes related to irregular migration or prostitution and detained in inappropriate facilities, thus affecting their identification and access to care, recovery and reintegration services.[42]

45. In some African countries, village committees have been established to monitor, report and follow up on child rights violations, including sexual exploitation. However, the connection between informal reporting structures in schools, religious organizations and communities and formal reporting systems is often tenuous. Although codes of conduct have been developed to prevent and monitor child exploitation, they frequently lack mechanisms to monitor and enforce their implementation.[43]

46. In some European countries, national identification and referral systems designate clear roles and responsibilities for multidisciplinary and coordinated agencies. In Bulgaria, the State Agency for the Protection of Children plays a leading role in the identification of trafficked children and the Ministry of the Interior is notified of identified cases immediately, while the Social Assistance Directorate plays a complementary role.[44]

47. Numerous countries have established child-friendly reporting and complaint mechanisms such as telephone hotline services for reporting children at risk or experiencing exploitation. The Colombian Institute of Family Welfare created a special telephone line operated by forensic psychologists and social workers for reporting cases of child victims of sexual violence that allows victims to be referred to the appropriate services for psychological first aid and counselling by relevant entities.[45]

48. Online sexual exploitation of children has increasingly become an issue in all regions of the world. South Africa operates a hotline for reporting illegal online content such as child pornography[46] and Italy is in the process of developing a specific method to identify and support children who were exploited for the production of material depicting child abuse.[47]

2. Immediate support services

49. Many countries have established one-stop victim support centres that offer medical, counselling and legal services at one location for victims of sexual abuse,

[40] USAID, *Promising Approaches*; Rafferty, "Challenges to the rapid identification of children".
[41] Contribution from ECPAT-United Kingdom.
[42] Rafferty, "Challenges to the rapid identification of children".
[43] ECPAT International, *The Commercial Exploitation of Children in Africa*; ECPAT Netherlands, "Don't look away: assessment on commercial sexual exploitation of children related to tourism and reporting mechanisms in Gambia, Kenya, Madagascar, Senegal and South Africa", 2014.
[44] Center for the Study of Democracy, *Assisting and Reintegrating Child Victims of Trafficking*.
[45] Contribution from Colombia.
[46] ECPAT International, *The Commercial Exploitation of Children in Africa*.
[47] Contribution from Italy.

violence and exploitation, including children. In Mauritius, a drop-in centre caters for and offers multidisciplinary support services to child and other victims and potential victims of trafficking and exploitation, including prostitution.[48] Japan has also developed one-stop support centres where victims of sexual crimes and violence can receive comprehensive support at one location immediately after they have been subjected to abuse.[49] However, one-stop support centres are ineffective unless they are accompanied by follow-up procedures and continued support services (e.g. long-term counselling and other types of psychosocial support).[50]

50. An urgent support service of note is the child house model (*Barnahus*), which caters for victims of sexual violence. First developed in Iceland, this model has been adopted throughout Scandinavia and integrated in the Guidelines of the Committee of Ministers of the Council of Europe on child-friendly justice.[51] The child house model designates a multi-agency and interdisciplinary child-friendly centre for child victims and witnesses that provides therapy for children and facilitates interviews for the purpose of prosecution. Medical examinations are carried out and treatment provided.

51. Victims of trafficking and exploitation usually access assistance through shelters. Short-term accommodations vary in their level of child-friendliness and their sensitivity to children's unique needs. Shelters are often set up and run by civil society organizations, sometimes with funding from the Government.[52] For instance, in Bosnia and Herzegovina support is provided by non-governmental organizations such as Medica, which manages a safe house where basic necessities and individual as well as group psychological assistance are available.[53] However, options for children who require medium- and long-term accommodation are few and rarely adequate and orphanages and foster care are sometimes used as longer-term solutions.[54]

52. Many countries offer medical and psychological care as part of the immediate response. Georgia has established the State Fund for the Protection and Assistance of Victims of Human Trafficking, which also covers victims of sexual exploitation and which ensures, inter alia, the provision of free psychological services that continue until the victims have defined their future prospects and recovered control of their lives.[55] However, counselling and psychological assistance for child victims of sexual exploitation is rarely adequate and access to mental health services or alternative healing activities such as arts-based and creative activities remains the biggest gap in aftercare services.

53. Very few victims of trafficking receive compensation. Access to compensation remains limited owing to, inter alia, lengthy judicial processes, government policies and the exclusion of victims of sexual exploitation owing to stigmatization

[48] Contribution from Mauritius.

[49] Contribution from Japan.

[50] ECPAT International, *The Commercial Exploitation of Children in Africa*.

[51] Contribution from the Council of Europe.

[52] Group of Experts on Action against Trafficking in Human Beings (GRETA), *Fourth General Report on GRETA's Activities* (Strasbourg, Council of Europe, 2015), pp. 34-35; USAID, *Promising Approaches*.

[53] Council of Europe, "Lanzarote Convention: compilation of replies to question 9a of the thematic questionnaire", document T-ES(2014)23 bil, 28 September 2014, p. 18.

[54] USAID, *Promising Approaches*.

[55] Contribution from Georgia.

(A/HRC/26/18, para. 29). Sweden is one of the few countries that compensates victims of prostitution and trafficking for sexual purposes through its Crime Victim Compensation and Support Authority. However, between 2008 and 2010, it has been reported that no child applied for compensation.[56] In the United States, the Children's Justice Act and Comprehensive Tribal Victim Assistance Grants provide funding for victim services that address child exploitation, child abuse and neglect issues affecting tribal nations.[57]

3. Medium- and long-term support

54. Many countries provide only short-term support and fail to provide medium- and long-term support and follow-up for child victims, which tend to be more resource-intensive. The European Union Directive on Combating the Sexual Abuse and Exploitation of Children stipulates the need for Member States to provide assistance to child victims "for as long as necessary for the child's physical and psychological recovery and [which] may last into adulthood if necessary" (para. (31)).[58] The Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse also refers to the importance of long-term assistance to victims in its article 14.1. However, it is not known how many child victims have received such long-term support.

55. Even though access to education, vocational training and life skills is an essential aspect of recovery and reintegration, child victims often face challenges in accessing them. In many cases, child victims have never attended school. In other cases, they are unable to enrol in school owing to discrimination or lack of a residence permit.[59] Additional barriers include lack of identity documents, in particular birth certificates, loss of educational records, financial and geographical barriers, gender discrimination, bullying or teasing, corporal punishment, feeling uncomfortable in the school environment, difficulties with concentration, older children not wanting to be placed in classes with very young children and children needing to work. When education is provided in shelters, children with different abilities may be placed in the same class; studying may not lead to an accreditation and the quality of teaching may not be of the same standard as in formal schools.[60]

56. Socioeconomic support, including financial assistance, is as important as education; employment and the ability to earn a livelihood should be viewed as the goal. In Bulgaria, a job skills training programme for Roma girls who were trafficked helped three quarters of them to find a job.[61] In Nepal, eight rehabilitation centres provided victims of trafficking with skills as well as seed money to start a small business.[62]

57. Although vocational training is often provided, a number of problems have been highlighted in this area. For example, such training is rarely tailored to the local labour market; children who wish to start their own business often find that start-up kits or funds are not available; training is frequently not completed and is

[56] Center for the Study of Democracy, *Assisting and Reintegrating Child Victims of Trafficking*.
[57] Contribution from the United States of America.
[58] Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011.
[59] Center for the Study of Democracy, *Assisting and Reintegrating Child Victims of Trafficking*.
[60] Contribution from Home: The Child Recovery and Reintegration Network.
[61] USAID, *Promising Approaches*.
[62] Contribution from Nepal.

often of poor quality; the type of training is habitually gender biased and promotes traditional skills that are not always in demand (e.g. hairdressing and tailoring); little support is available to help graduates find a job on completion of their training; training is sometimes treated as therapy or an activity to entertain children; and it is often aimed at young people without considering the potential for involving other members in the family. Additional barriers that may impact on a child's ability to secure a livelihood include the inability to legally register a business or access credit when identity papers or residence permits are lacking, stigmatization by customers or employers and difficulties in finding childcare.[63]

58. Few recovery and reintegration programmes incorporate activities to address the recreational needs of children. The Ministry of Gender Equality and Family of the Republic of South Korea offers a wide range of programmes to victims of sexual exploitation offering art, music, dance and play therapies that have led to positive results. Camps are run by an alternative educational institute that is affiliated with juvenile support services.[64]

4. Main challenges

59. Common challenges to successful care, recovery and reintegration of child victims of sexual exploitation include: (a) a lack of understanding of child sexual exploitation on the part of professionals, which hampers their ability to take complaints seriously; (b) a lack of specialized caregivers, mandatory training and minimum qualifications for caregivers and minimum standards for organizations that provide care; (c) a lack of consistent resources, including funding, to establish long-term care and recovery programmes; and (d) discrimination on the basis of legal status, gender and age.[65] Other challenges are related to lack of gender sensitivity and child and youth participation, and social norms and cultural values that tolerate the sexual exploitation of children.[66]

60. Additional challenges facing service providers, including non-governmental organizations, in establishing and managing assistance and care services include: (a) a lack of information and data from local research; (b) a lack of policies, procedures and legislation at the national level;[67] (c) low levels of awareness; (d) challenges at the family and community level, such as extreme poverty and alcohol abuse; (e) threats to staff; (f) lack of time and the patience to engage children; (f) secondary trauma affecting staff; and (g) practical challenges in decision-making.[68]

61. Services are often provided in an ad hoc manner and fail to systematically reach child victims. Many countries suffer from a deficiency of coordination capacity and mechanisms to identify victims and refer them to the proper authorities and services. The lack of centralized coordination and information systems also prevents the systematic evaluation of services and interventions.[69] In many

[63] Contribution from Home: The Child Recovery and Reintegration Network.
[64] Contribution from the Republic of South Korea.
[65] Contribution from ECPAT International.
[66] Contribution from Togo.
[67] Contributions from Kenya and Togo.
[68] Contribution from Home: The Child Recovery and Reintegration Network; C. Cody, "What are practitioners around the world saying about recovery and reintegration", 2012. Available from www.childrecovery.info/fileadmin/pdf/CRC005.
[69] N. Maalla M'jid, "Sexual abuse and exploitation of children in West and Central Africa, UNICEF West and Central Africa Regional Office, 2008.

countries, the heavy reliance on non-governmental organization service providers raises concerns about the dependability and sustainability of resource provision and about the quality and accountability of service providers.[70]

62. Providing safe and secure housing for children is a major challenge. In the United Kingdom, the significant number of unaccompanied children who disappeared from shelters implied that safe accommodation might be inadequate;[71] in 2013, it was reported that up to 60 per cent of children who had been trafficked and subsequently placed in care had gone missing.[72]

63. In many countries, the provision of services often depends on the legal status of the child victims, victims of trafficking in particular. Some countries grant temporary residence permits, which confer rights to health care, education and employment.[73] However, these permits and the ensuing rights are often conditioned on children's cooperation with criminal proceedings. The Council of Europe Convention on Action against Trafficking in Human Beings establishes in articles 12-14 the types of assistance that is to be provided and that provisional residence permits for a recovery and reflection period of at least 30 days must be granted irrespective of the willingness of the victims to cooperate in criminal proceedings.

64. There are also barriers that prevent children from accessing care and support upon their resettlement or return to their family and communities, such as the unwillingness of children to return home and reintegrate; stress factors that compromise the psychological health of children (e.g. legal proceedings, immigration and asylum procedures, stigma and discrimination associated with their exploitation); and prolonged residential care.[74] In response to the latter, Canada has set up child advocacy centres that concentrate on collaborative and coordinated services to prevent system-induced trauma.[75]

E. Comprehensive, rights-based and child-centred care, recovery and reintegration programmes for child victims of sexual exploitation

65. The care, recovery and reintegration needs of child victims of sexual exploitation differ in various ways from the needs of children who are victims of familial neglect, physical abuse or sexual abuse. The unique nature of sexual exploitation, the impact of the related human rights violations on children and the behaviour of child victims, which is often perceived as challenging, require specialized and separate services and programmes to best serve this group of child victims.[76] Owing to the extremely traumatic experiences that child victims of sexual exploitation suffer, the assistance they require must be of a holistic nature and supplied through an individualized case management and assessment process. It is critical that every care, recovery and reintegration plan be individualized for each child victim, taking into account the form and length of sexual exploitation, the

[70] ECPAT International, *The Commercial Exploitation of Children in Africa*.
[71] GRETA, Fourth *General Report*, pp. 34-35.
[72] Contribution from ECPAT-United Kingdom.
[73] Center for the Study of Democracy, *Assisting and Reintegrating Child Victims of Trafficking*.
[74] Contribution from Home: The Child Recovery and Reintegration Network.
[75] Contribution from Canada.
[76] Contribution from ECPAT International — Katherine Hargitt.

different dynamics and circumstances involved as well as the needs of the child, and the dynamics and needs of his or her family or caretaker (see A/HRC/19/35).[77]

66. Many States have emphasized law enforcement and prosecution in their response to the sale, trafficking and sexual exploitation of children, often at the expense of prevention, care, recovery and reintegration services for the victims. Yet, those who sexually exploit children are rarely prosecuted.[78] In order to be comprehensive and effective, national child protection systems must focus on offenders as well as victims.

67. Any care, recovery and reintegration programme must be informed and guided by the general principles of the Convention on the Rights of the Child, namely non-discrimination (art. 2), the best interests of the child (art. 3), the right to life, survival and development (art. 6) and respect for the views of the child (art. 12).

68. Care, recovery and reintegration programmes must incorporate a gender perspective, taking into account the different needs and opportunities of boys, girls and lesbian, gay, bisexual, transgender and intersex children. While emphasis is often placed on female child victims, there is a growing need for assistance and protection of boys and children who identify as transgender and therefore also a need to establish specialized care, recovery and reintegration programmes for those children.[79] For instance, in the United States, the Department of Justice Office for Victims of Crime supports the development of specialized services for boys and men as well as programmes for lesbian, gay, bisexual, transgender and intersex persons to ensure that their needs are met and that they are identified as victims.[80]

69. Care, recovery and reintegration programmes must address multiple aspects to ensure that children receive holistic and multidisciplinary support that leads to durable solutions. A comprehensive, rights-based and child-centred care, recovery and reintegration programme should include the following components: (a) prompt identification of the victim; (b) outreach to victims and children in vulnerable situations; (c) prevention and information directed at different groups; (d) properly trained and dedicated staff; (e) multidisciplinary teams, partnerships and networks; (f) protection services; (g) repatriation and reintegration for migrant victims; (h) aftercare and long-term response; and (i) adequate support and assistance for caregivers. Programmes should include high-quality and accessible services that ensure the rights of child victims to health, shelter, education, legal aid and recreation.[81] There are broader areas of support that are often overlooked but that contribute to recovery and reintegration, such as enabling children to engage with and access forms of support through religious and spiritual institutions and through cultural and traditional practices, working with parents and caregivers and conducting community sensitization.[82]

70. Additional elements include a national legislative framework that is compliant with international norms and standards, strong referral and coordination mechanisms, independent monitoring mechanisms and needs assessments to inform

[77] Ibid.

[78] United Nations Office on Drugs and Crime (UNODC), "Global report on trafficking in persons", 2014.

[79] Contribution from ECPAT-United Kingdom and ECPAT-Germany.

[80] Contribution from the United States of America.

[81] Contribution from ECPAT-Taiwan and ECPAT — Katherine Hargitt.

[82] Contribution from Home: The Child Recovery and Reintegration Network.

and guide the recovery process. Birth registration and recognition of the legal status of the child are basic premises, since a child who is not recognized under the law will not be able to access care and recovery services in some countries.[83]

71. The first step in the recovery process is to ensure that procedures and mechanisms are in place for the rapid identification of child victims so that they can access timely and appropriate assistance. Once rescued, and after a comprehensive assessment of the individual case, the child should be either returned to his or her family or provided with emergency shelter as well as with care, protection and follow-up services. Rescue operations should ensure that children are returned to a safe environment, whether with their families or in alternative arrangements, with special care taken when victims must be repatriated from another country.[84]

72. Awareness-raising and education programmes must be designed and implemented for professionals who deal with child victims, including law enforcement and care providers, and combined with child-friendly reporting and complaint mechanisms to ensure that allegations or complaints made by victims of sexual exploitation are not disregarded, overlooked or not acted upon and that child victims are not denied care and support.[85] Moreover, the specific vulnerability of child victims requires specialized training of the professionals involved throughout the programmes.

73. Care must be provided by trained professionals who understand the importance of mental and emotional health, in settings that are safe for children. Care homes providing temporary or long-term shelter for victims must ensure that staff members are carefully selected, adequately trained and closely supervised to ensure that they do not pose a risk to children.[86] Both children and staff at shelters must feel safe from threats, dangers and harm from perpetrators.

74. It is important to involve the family and/or the community, whenever possible, in the care, recovery and reintegration process. Parents, siblings and other family members may also require assistance to cope with the victimization of their children.[87] Institutional care should be a last resort[88] and alternative care and accommodation arrangements should be made available, including specialist foster or kinship care or semi-independent living, for children who cannot or do not want to return to their families. Shelters should be temporary or long-term as necessary to meet the needs of children who are at different stage of the recovery and reintegration process.

75. Specialized legal assistance is provided for children in shelters by non-governmental organizations, police, prosecutors and shelter staff.[89] The child house model mentioned above constitutes a good practice that contributes to child-sensitive judicial proceedings. For instance, these centres use child-friendly rooms

[83] Contribution from ECPAT International.

[84] G. Thompstone, "The development of quality of care standards in welfare services for child victims of commercial sexual exploitation". Available from www.childtrafficking.com/Docs/ecpat_thematic_qcs_1.pdf.

[85] Contribution from ECPAT International.

[86] G. Thompstone, "The development of quality of care standards".

[87] E. V. Tiurukanova, and the Institute for Urban Economics for the United Nations/IOM Working Group on Trafficking in Human Beings, *Human Trafficking in the Russian Federation: Inventory and Analysis of the Current Situation and Responses* (Moscow, 2006).

[88] Committee on the Rights of the Child, general comment No. 9 (2006), para. 47.

[89] Surtees, *Second Annual Report on Victims of Trafficking*, p. 104.

to interview the child and the trained forensic interviewer is guided in his or her line of questioning by a judge and lawyers from an observation room to obtain a testimony that will be usable in court; this prevents additional trauma to the victim in subsequent court proceedings. Legal assistance should also be made available to child victims who do not reside in shelters, through clear, child-friendly channels.

76. Care, recovery and reintegration programmes should respond to the need to provide continuous, comprehensive assistance beyond emergency and short-term support. Support for children needs to be available for a long period of time and should not simply end once a child has been reunited with the family, reaches the age of 18 and/or has left an institution. Moreover, long-term care and recovery programmes and services require consistent funding and allocation of resources.[90] As stressed by the Rotherham Inquiry undertaken in the United Kingdom in 2013 to examine the State's response to child sexual exploitation, all services should recognize that once a child is affected by sexual exploitation, he or she is likely to require support and therapeutic intervention for an extended period.[91]

77. Care and treatment need to be provided through an interdisciplinary approach and with due diligence as well as coordination between the different services. Partnerships and cooperation in the development of programmes are essential to ensure that children receive the necessary services and are fully supported.[92] For instance, ECPAT Thailand has obtained significant results with projects involving law enforcement in recovery and reintegration through recreational activities. Such partnerships show that it is possible to change perceptions and break down some of the prejudice and mistrust that exists between police and child victims of sexual exploitation.

78. Reintegration work should also aim to change negative behaviours and attitudes of families and communities towards returning children who have been victimized. Building up positive qualities and feelings in children can also assist in developing respect and acceptance, for instance, demonstrating that a child has been successful, has helped others, or has been involved in community services.[93] Programmes to address stigma in communities and prevailing gender and cultural norms are also vital.

79. A central part of social reintegration is the need to empower the child victim through child-sensitive procedures and accessible avenues for participation.[94] Supporting a sense of agency and control in children is important, particularly when they have been in situations where they have had little control.[95] It is essential to build trust with the child victims, seek their views at every stage of the process and establish a consistent relationship of respect between the child and the caregiver.[96] The child should feel safe and secure and confident that he/she is being heard and understood throughout the process.

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[90] Contribution from ECPAT International and Home: The Child Recovery and Reintegration Network.

[91] A. Jay, "Independent inquiry into child sexual exploitation in Rotherham, 1997-2013". Available from www.rotherham.gov.uk/downloads/file/1407/independent_inquiry_cse_in_rotherham.

[92] Contribution from Home: The Child Recovery and Reintegration Network.

[93] Ibid.

[94] Committee on the Rights of the Child, general comment No. 13 (2011), para. 63.

[95] Contribution from Home: The Child Recovery and Reintegration Network.

[96] Contribution from ECPAT International.

80. Children must be kept informed at all stages of the care and recovery process, in particular in relation to decisions affecting them. To ensure this is done, measures such as the following can be adopted: (a) educating caregivers on the importance of taking into account the views and needs of children in their care; (b) obtaining the feedback and opinion of children at each step of the recovery and reintegration process; (c) encouraging peer committees and youth leadership activities throughout the process where children can, for example, be involved in staff interviewing and selecting activities for the organization or shelter; and (d) applying a rights-based approach at each step of the process, ensuring that children are treated with respect and dignity.[97] In Serbia, for example, expert assessments of the protection needs of child victims take their views into account.[98]

81. According to research conducted by the non-governmental organization Home: The Child Recovery and Reintegration Network, the following areas are important for children in the recovery and reintegration phase: (a) promoting a sense of safety for children; (b) developing a trusting relationship; (c) ensuring that children have a caring adult in their lives; (d) establishing a sense of belonging in children; (e) promoting a sense of self-worth and success; (f) promoting agency; (g) developing hope, aspirations and a positive outlook for the future; and (h) gaining respect and acceptance.

82. ECPAT International has adopted model strategies for how to engage with children in programming that include the designation of child advocates; using participatory inquiry; engaging with the child from the very beginning in an incremental way, starting with small details; regular surveys with child victims at child shelters; pre- and post-intervention awareness surveys; evaluations completed during admission to shelters and upon permanent release; providing access to an independent advocate or legal guardian; interactive sessions with children at formal schools; and village child committees.[99]

83. Follow-up of individual cases and evaluations of care, recovery and reintegration programmes are essential to avoid revictimization, adapting programmes to the needs of children and identifying good and bad practices. For instance, children who are returned to a family without a proper assessment and support are likely to leave home again and are at a very high risk of being sexually exploited again.[100] When children are returned to the same situation that they left, the probability of once again being trafficked and sexually exploited is great.

84. Evaluations must be developed on the basis of the views not only of the professionals involved but also on the views, wishes and perspectives of the children. Although it can be challenging to involve children in evaluations, this aspect is critical since children, when asked, often highlight a number of problems with the care and assistance received.[101]

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[97] Contribution from ECPAT International — Katherine Hargitt.

[98] Contribution from Serbia.

[99] Contributions from ECPAT Argentina, India, Samoa, Uganda and the United Kingdom.

[100] Contribution from Home: The Child Recovery and Reintegration Network.

[101] Contribution from Home: The Child Recovery and Reintegration Network, citing S. Hudd, "Sold like a chicken: trafficked Cambodian girls speak out", 2003 and School of Women's Studies, Jadavpur University, "'Look at us with respect': perceptions and experiences of reintegration: the voices of child survivors of sexual exploitation and practitioners in West Bengal and Jharkhand", 2012.

85. When it comes to reintegration, many organizations measure success by the number of children who are returned to their families. However, consultations with children who had experienced reintegration programmes identified a number of areas that they felt had to be considered to assess whether a child had been successfully reintegrated, namely that the basic needs of the child were met (e.g. housing, health, food and water); that the child had emotional support, safety and a relationship with the family and community; that the child had developed internal strengths; and that the child was either in education or employment.[102]

F. Conclusions and recommendations

86. **Sexual exploitation and related sale and trafficking cause considerable physical, sexual, cognitive, psychological and social harm to child victims. The short-, medium- and long-term effects on their health, education, development and well-being are significant and must be adequately addressed.**

87. **Every child victim of sexual exploitation and related sale and trafficking has a right under international law to receive care, recovery and reintegration measures to repair the harm suffered. States have the primary responsibility to take all necessary measures to provide care, recovery and reintegration for child victims.**

At the national level

88. **The Special Rapporteur invites all States:**

(a) **To adopt and implement clear and comprehensive legislation that criminalizes the sexual exploitation and related sale and trafficking of children, recognizes their legal status as victims to access rights and services for their care, recovery and reintegration and ensures child-friendly judicial proceedings and remedies, including compensation;**

(b) **To establish effective, reliable and integrated information and data collection and analysis systems on different forms of exploitation of children, including sale and trafficking, for sexual and other exploitative purposes, with data disaggregated by age, sex, location and need for special protection;**

(c) **To conduct research on the effects of sexual exploitation and related sale and trafficking on girls, boys and transgender child victims as well as on the effects of sexual exploitation facilitated by information and communication technologies to inform specialized care, recovery and reintegration programmes;**

(d) **To establish comprehensive, rights-based and child-centred care, recovery and reintegration programmes, with a gender perspective, through a full range of laws, policies and services that will:**

[102] Contribution from Home: The Child Recovery and Reintegration Network; Surtees, R., *Monitoring Anti-trafficking Re/integration Programmes: A Manual* (Washington, D. C., Nexus Institute and Brussels, King Baudoin Foundation, 2010). Available from https://nexushuman trafficking.files.wordpress.com/2015/03/monitoring-at-reintegration-programmes_manual_ nexus.pdf; C. Cody, "Findings from the survey 'Monitoring and Evaluating Reintegration Programmes for Children'", 2013. Available from www.childrecovery.info/fileadmin/pdf/ CRC006__281_29.pdf.

(i) **Enable rapid identification of victims and coordinated referral mechanisms as well as child-friendly reporting and complaint mechanisms to report exploitative behaviour online and offline; provide specialized training to personnel involved in the identification process to enhance their knowledge and understanding; identify and refer cases of sexual exploitation; and provide for awareness-raising and outreach to victims and children in vulnerable situations;**

(ii) **Establish centralized databases for case management to ensure that child victims are identified, linked to services and followed up on a long-term basis;**

(iii) **Ensure that child victims have access to safe and secure housing, medical and psychological care, legal assistance, education, vocational training, life skills and socioeconomic support, sports and leisure activities, religion and cultural practices by means of an individualized plan that is adapted to the child's needs, as part of his or her life project;**

(iv) **Empower child victims through child-sensitive procedures and accessible avenues for participation that foster a sense of agency in their care, recovery and reintegration programme, keep them informed and allow them to be consulted on decisions affecting them;**

(v) **Whenever possible, involve the family in the care, recovery and reintegration process, providing assistance, including psychosocial support and livelihoods, to the family and adopting a strengths-based approach that builds on the children's and families' own resources;**

(vi) **Designate specialized caregivers, establish mandatory training and minimum qualifications for them and develop and monitor minimum standards for organizations providing care and provide adequate support and assistance for caregivers;**

(vii) **Establish holistic, child-friendly victim support centres that offer high-quality, accessible and integrated services adapted to the specific needs of chid victims, and follow-up procedures and continued support that lead to durable solutions through an individualized case management and assessment process;**

(viii) **Establish interdisciplinary agencies for the coordination of integrated care, recovery and reintegration programmes, with clear roles and responsibilities in the delivery of support services, and establish independent monitoring and assessment mechanisms to inform, evaluate and guide care, recovery and reintegration programmes;**

(ix) **Allocate consistent funding and adequate resources to provide continuous, comprehensive, high-quality assistance and ensure the sustainability of support services to child victims in the short, medium and long term;**

(x) **Promote partnerships and cooperation in the development of programmes, including awareness-raising and education programmes targeted at families, communities and society at large, to change negative attitudes and address stigma and discrimination against child victims,**

with the involvement of civil society, the private sector, academic institutions and children;

(xi) Adopt measures to prevent the sexual exploitation of children and related sale and trafficking, with particular attention to vulnerable children, that address risk factors and gender-based discrimination and inequalities and demand.

At the international level

89. **The Special Rapporteur invites the international community:**

(a) To harmonize and facilitate coordination and cooperation among all relevant stakeholders at the national, regional and international levels to support concrete actions to prevent and halt the sexual exploitation of children that tackle demand, among other matters, and ensure that child victims have access to justice and remedy and their right to care, recovery and reintegration;

(b) To provide, through the United Nations and other stakeholders, technical assistance and support to States for the elaboration and implementation of comprehensive, rights-based and child-centred care, recovery and reintegration programmes, as part of effective national child protection systems;

(c) To promote universal ratification of the Convention on the Rights of the Child and the Optional Protocols thereto and all relevant international and regional instruments as an essential prerequisite for the development of an effective international child protection framework;

(d) To ensure that the implementation of the sustainable development goals and targets to adopted by the General Assembly, in particular draft goal 5, target 2, and goal 16, target 2, includes the effective realization of recommendations (b) and (c) above.